

107TH CONGRESS
1ST SESSION

S. RES. 82

To authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs and representation by the Senate Legal Counsel.

IN THE SENATE OF THE UNITED STATES

MAY 3, 2001

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution;
which was considered and agreed to

RESOLUTION

To authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs and representation by the Senate Legal Counsel.

Whereas, during the 105th Congress, the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs conducted an oversight review of the Treasury Department's Office of Inspector General;

Whereas the Subcommittee has received requests from the parties to two appeals, Richard B. Calahan v. Department of Treasury, No. DC-0752-01-0245-I-1, and Lori Y. Vassar v. Department of Treasury, No. DC-0725-01-0275-I-1, before the Merit Systems Protection Board,

for access to records, including transcripts of depositions, from its oversight review;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978 (2 U.S.C. §§ 288b(a) and 288c(a)(2)), the Senate may direct its counsel to represent committees, subcommittees, Members, officers, and employees of the Senate with respect to any subpoena, order, or request for testimony or documentary production relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

1 *Resolved*, That the Chairman and Ranking Minority
 2 Member of the Permanent Subcommittee on Investiga-
 3 tions of the Committee on Governmental Affairs, acting
 4 jointly, are authorized to provide copies of records from
 5 its Treasury Department Office of Inspector General over-
 6 sight review to the parties in *Richard B. Calahan v. De-*
 7 *partment of Treasury* and *Lori Y. Vassar v. Department*
 8 *of Treasury*, except concerning matters for which a privi-
 9 lege should be asserted.

1 SEC. 2. The Senate Legal Counsel is authorized to
2 represent the Permanent Subcommittee on Investigations,
3 and any other committee, subcommittee, Member, officer,
4 or employee of the Senate in connection with testimony
5 or documentary production in these matters.

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